

## Weinstein's.

HELENA—Sixth and Main.  
NEW YORK—105 Sixth Av.

It may seem strange that we are so persistent in advocating cash buying and in refusing to open accounts even with the best people—but "A burnt child dreads the fire." Our experience in the credit business has not been such as to encourage us to open any accounts whatever. People who owe us money avoid us and never come to our store—we lose the money and their trade. We can buy right only for cash—we must have the cash to buy with—we must sell for cash.

There's a full assortment of Fireworks here this morning. If you want any—at right prices—buy early. If they sell today as they did yesterday you may not find what you want late in the day.



This Tea Kettle—made of heaviest tin plate—retinned and with copper rim and bottom in one piece—in every way the best tin kettle that can be made.

Special today 50c.

Imitation cut glass Berry and Sauce Set, containing one bowl and six sauce plates.

Special today 35c.

Imitation cut glass Water Pitcher, half-gallon size, your choice of four patterns.

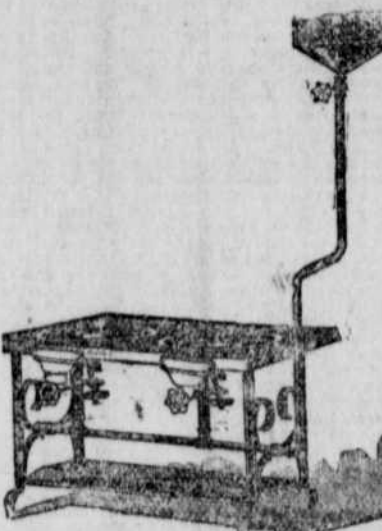
Special today 25c.

Wire gauze dome shape dish covers, all sizes.

Special today 10c.

Engraved glass Sugar Shakers with nickel plated tops.

Special today 10c.



We've told you very often how good, how economical and how cleanly a Gasoline Stove is for summer cooking. Now is the time you want one—to-day is the time to buy. Special today:

1 burner.....\$3.25  
2 burner.....4.50  
3 burner.....6.25

Lightning Ice Cream Freezer is the best constructed—freezes quickest—uses least ice and salt—tub can't dry out. Costs very little—here.

Mason Fruit Jars—perfect flint glass jars—ready to use:

Pints, doz.....\$ .75  
Quarts, doz......90  
½ gallons, doz.....1.20

Best rubber rings for fruit jars 10c a dozen.

We have Fruit for sale—prices just the same as if every railroad in the country was running:

Best Peaches, box.....\$1.00  
Apricots, basket......30  
Finest Plums, basket......50  
Good Plums, basket......40  
Apples, box.....2.00  
Pineapples, each......20  
Watermelons, lb......03  
Bananas, doz., 20c, 25c and 30c  
Lemons, doz......15  
Dates, lb......10  
Finest Figs, lb......15

## COURT OF LAST RESORT

Four Opinions Are Handed Down by the Supreme Justices on Monday.

A Corporation Responsible for Its Officers' Acts After Having Adopted Them.

Galvin vs. Mac Company, Johnson vs. Bielenberg, Johnson vs. Case, and Sweetzer vs. Diehl.

The supreme court handed down four decisions yesterday. One was in the case of Patrick Galvin, respondent, versus Mac Mining and Milling company, appellant; appeal from the district court of Lewis and Clark county. Galvin brought suit for \$2,340.40, the value of 7,468 shares of stock, and attorney's fees on account of a note of the company for \$1,236. The note provided for attorney's fees. The company denied its liability for the attorney's fees, having paid the principal and interest of the note, part of it before the action was brought and all before the case was tried. For these reasons the supreme court says the company was not liable for the attorney's fees.

The stock, it appears, was left in the hands of the secretary of the company, and assigned by Galvin to another party. The secretary refused to deliver it to Galvin when called for. The company defended the action of its secretary on the ground that he was justified in withholding it until the party to whom it was assigned either reassigned it or ordered it delivered to Galvin. The jury found for plaintiff. The supreme court thinks the verdict of the jury well supported by the evidence.

The opinion further says that the company having adopted the action of its secretary, assumed the liability for that action.

"It is proper to further remark," says the court, "that it is exceedingly doubtful that a corporation, without special authorization, can become purchaser of its own stock, which has been sold and outstanding to the hands of individual stockholders. It may, however, commit a damage by wrongfully reverting a stockholder's share to the use and benefit of his stock. But, as before remarked, the corporation in this case appears, as far as can be ascertained from the record, not to have relied upon such grounds of defense. We may therefore very properly presume for the purpose of this action, that all concerned in the corporation, officers and stockholders, concurred in adopting the conversion of the stock by its secretary as their own act. If that be the case, it includes all who have any rights involved. A principal may adopt as its own the unauthorized act or transaction of an agent; and having taken that position in defense of a suit, they could not afterward, on appeal, be heard to deny the agent's authority.

"The foregoing remarks upon this view of the case are made in order that this case may in no manner be regarded as affirming that an incorporated company may be held liable under such circumstances if the proper defense was presented, repudiating the transaction as well as the authority of its officer to bind it therein."

The judgment of the lower court is modified by disallowing attorney's fees. Otherwise the judgment is affirmed.

Peter Johnson, plaintiff, versus N. J. Bielenberg, et al., defendants; appeal from Deer Lodge county. This is the appeal of Herman Johnson, a defendant, as against Peter Johnson, the plaintiff, and Patrick Quinlan, a defendant. Peter Johnson commenced an action against twenty-one defendants to determine the rights and priorities of himself and the defendants in the estate of Dempsey creek, for the purpose of originating agricultural lands. Upon the trial the court found all of their rights and classified the same, and entered judgment accordingly. Herman Johnson, a defendant, appealed, being dissatisfied with the disposition of 100 inches of water at the mill race on the one side, and Peter Johnson and Patrick Quinlan on the other. The court found that Herman Johnson appropriated 150 inches in 1886. The court then found that Peter Johnson and Patrick Quinlan had since 1867, held and used adversely 100 of these inches. But the court also found that Peter Johnson and Patrick Quinlan had obtained this 100 inches, and owned it by prescription in 1867. With these two findings made, the court, in its judgment, gave this 100 inches to Peter Johnson and Patrick Quinlan. He man Johnson complained that the judgment as to this 100 inches is not supported by the findings. The supreme court says that the findings of the court in respect to this 100 inches are apparently wholly inconsistent. The case is therefore remanded, and the district court is directed to take testimony, make findings and enter judgment upon this point only, and let it be determined who is entitled to the 100 inches of water out of the 150 inches appropriated by Herman Johnson in 1886.

State ex rel A. F. Johnson et al. versus J. F. Case, justice of the peace; appeal from Missoula county district court in dismissing application for writ of certiorari against the justice of the peace and affirming his judgment. The original action was by Edmund Giger against A. F. Johnson and John H. Bell on a note. The defense pleaded tender of the amount with interest before the commencement of the action. The jury in the justice's court gave a judgment for plaintiff for principal and interest, and gave defendants their costs. Judgment was entered accordingly. Eight days later a motion was made to tax the costs to the defendant. The district court refused a writ of certiorari to compel the justice to show cause why he reversed the judgment. The supreme court reverses the judgment, and orders that the writ be sustained; and also annuls the judgment of the justice. Justice Ha wood versus Albert G. Sweetzer, respondent, versus George B. Diehl et al., appellants; appeal from Lewis and Clark county. The question involved on appeal was whether the allegations of the amended separate answer on the part of defendant Mantle were sufficient to constitute a defense. The suit was to foreclose a mortgage and enforce payment of a note for \$1,300 given by Diehl. The property was transferred to Mantle after the mortgage was given, and it is alleged that one of the conditions of the transfer was that Mantle was to pay the note. Sweetzer demanded judgment against Mantle for the deficiency remaining over after the sale of the mortgaged premises. Mantle was sustained, and Mantle answered, the ground on which the lower court held that Mantle's answer was insufficient was that if he sought to avoid payment of the debt because the condition obligating him to do so had been inserted by Diehl through fraud, and the deed was recovered by his agent without authority, Mantle should, on discovering the alleged fraud, have tendered a deed of the land back to Diehl. The supreme court says Mantle has a right to defend against the imposition of a condition upon him which he never agreed to and never authorized any agent to contract on his behalf. Judgment reversed and case remanded for further action.

Foster five-book kid gloves only \$1 at The Bee Hive.

Ladies' house wrappers in latest styles at The Bee Hive at 50c, \$1 to \$2.

Fourth of July Excursions. For the above occasion the Great Northern railway will sell tickets to and from all points on its lines in Montana, within a radius of 300 miles, at one and one-half fare for the round trip. Tickets on sale July 31 and 4th, good to return up to and including July 5th.

Wm. Harder, C. W. Fitts, City Ticket Agent.

For the above occasion the Great Northern railway will sell excursion tickets to all points in Montana within 300 miles at a rate of a fare and one-fifth. Tickets on sale July 3 and 4; good to return until July 5.

The Bee Hive is headquarters for baby carriages. They carry the largest line in the city.

Pasturing. Having 500 acres of the finest pasture land, located eight miles north of Helena, ranch known as the Green Fruit ranch, will pasture horses or cattle at \$2.50 per month. Entrance of Hitts & Douglas or J. E. Allen. CARR BUON.

Neckwear at The Bee Hive is cheaper than elsewhere.

Great Northern Railway. Runs through palace sleeping cars from Helena to St. Paul. Tourists and library cars on main line. Dining cars attached to the Atlantic and Pacific express in and out of Montana daily.

Wm. Harder, C. W. Fitts, City Ticket Agent.

Awarded Highest Honors—World's Fair.

## DR. PRICE'S Cream Baking Powder.

The only Pure Cream of Tartar Powder.—No Ammonia; No Alum.  
Used in Millions of Homes—40 Years the Standard

## FOURTH OF JULY SPORTS.

Rules for the Entries.—The Football Teams and Their Weights.

All those desiring to enter in the athletic sports to be held at Athletic park, near the Broadwater hotel, on the Fourth of July, will furnish their names to John W. Farmer between now and 1:30 p. m. of the day of the Fourth, at which latter time the entries will be positively closed. The games begin at half past two. Those not on the line when each event is called will forfeit their entry. In all field events contestants will try in the reverse order of their entrance; those entering first will try last, and those last entered trying first. In field events each competitor is allowed three trials. In the track events the order will be drawn for, number one taking the inside. Any of those competing, who desire to retain their amateur classification, can do so, and by notifying the committees they can take place instead of cash prize, receiving whatever they desire up to the value of the amount won.

The foot ball game between the junior teams of Butte and Helena will begin at 4 o'clock. The teams, with the positions of the players and their weights, will be as follows:

Butte—Hennington, 147 pounds, center; W. Brothe ton, 139 pounds, right guard; McElroy, 147 pounds, left guard; Hopkins, 122 pounds, right tackle; Rembath, 125 pounds, left tackle; Higgins, 123 pounds, right end; Kiekards, 133 pounds, left end; Sullivan, 122 pounds, quarter back; Scott, 150 pounds, right half back; H. Brothe ton, 125 pounds, left half back; Evans, 137 pounds, full back; total, 1,471 pounds; average, 133.3-11.

Helena—Fisk, 161 pounds, center; Adams, 142 pounds, right guard; H. der, 140 pounds, left guard; McElroy, 140 pounds, right tackle; Sullivan, 123 pounds, left tackle; Akley, 144 pounds, right end; Lane, 141 pounds, left end; Curtis, 132 pounds, quarter back; Gil, 131 pounds, right half back; Wheeler, 135 pounds, left half back; Knight, 125 pounds, full back; total, 1,519 pounds; average, 138.1-11.

Butte substitutes—Hennett, 150 pounds; Wright, 136 pounds; Wolf, 135 pounds. Helena substitutes—Barkin, 140 pounds; Weisman, 130 pounds; Shaw, 130 pounds; Hauser, 125 pounds.

The aggregate weight of the Butte team is 1,502 pounds, and the average 131.7 pounds. The aggregate weight of the Helena team is 1,545 pounds, and the average 136.3 pounds.

"An umpire will be Russell, of Helena; referee, Dixon, of Butte; time keeper, H. Yager, of Helena.

Both teams will arrive at 6:30 p. m. Tuesday evening, and will be quartered at The Helena.

Special sale of heavy torchon lace for underwear at Butler & Bradley's.

Kranich Ice Co. Order at F. S. Lang's.

Big reduction in prices of ladies' hosiery at The Bee Hive this week.

THE WISE TRAVELER.

In selecting his Railroad Route, selects the Road.

That affords excellent and most comfortable facilities—"The Milwaukee."

That traverses a delightful and picturesque portion of the country—"The Milwaukee."

That has—and merits—the reputation of strength and reliability—"The Milwaukee."

That enjoys popularity and is stamped with public approval—"The Milwaukee."

That has a substantial roadbed and most frequent train service—"The Milwaukee."

That regards, always, the comfort, ease and safety of its patrons—"The Milwaukee."

That furnishes the latest private compartment cars and latest library-buffet-smoking cars—"The Milwaukee."

That furnishes elegant drawing room parlor cars, free reclining chair cars and sumptuous dining cars—"The Milwaukee."

That has extensive and fine electric bath reading lamp—"The Milwaukee."

"The Milwaukee" combines all the above and more, too. Its trains are vestibuled, heated by steam, electric lighted and unsurpassed in luxurious appointments.

The immortal Lincoln said: "Follow the people and you cannot be far from right." The people use "The Milwaukee."

J. I. CONLEY, Asst. Gen. Pass. Agt. St. Paul, Minn.

NOTE.—Five trains daily from Twin Cities to Chicago: one to St. Louis and one to Kansas City.

You can buy a 6-4 Chenille table cover for \$1.50 this week at The Bee Hive.

A nice parcel for your little girl at 25 and 40 cents now at The Bee Hive.

Opening of the Montana Restaurant.

The undersigned take pleasure in calling the attention of the people of this city and state to the above announcement. The Montana, 26 North Main street, will open July 4. We assure our patrons that neither pains or expense will be spared in conducting a first-class style, in keeping with its appointments.

WOLCOTT & STEPHENS.

Ladies' white and black hose life and upwards at Butler & Bradley's, 19 South Main street.

The Bee Hive can supply you with Fourth of July bunting. Call and make your selections.

Notice. All societies, orders or organizations, who have not responded to the invitation extended to them to participate in the parade on the Fourth of July next, are requested to do so at once, in order that they may be assigned to the proper place in line.

CHARLES D. CURTIS, Chief Marshal.

Attention B. P. O. E. The members of Helena lodge No. 193 are requested to meet at Elks hall, Wednesday morning, July 4, at 9:30 a. m., to take part in the parade. The official hat for the parade will be delivered at the hall, each member to provide himself with a cane.

C. W. Fitts, Secretary.

## THE CREE ATTRACTION.

The Two Hundred Indians for the Fourth Are in Town.

The 200 Cree Indians, who will be a feature of the Fourth of July celebration in Helena, arrived from Great Falls yesterday, and are in camp near the fair grounds. They are in charge of Joe Lessor and J. H. Dyer, of Great Falls. Little Bear, the chief of the band, was around town yesterday. He wears a bear skin cap, and evidently feels that the eyes of the community are always upon him. Col. Curtis, who will be the chief marshal in the parade tomorrow, had a talk with Little Bear yesterday. He warned him that his people must not drink any firewater, and told him if any one offered them firewater to tell him, and they would be arrested.

The Indian feast of the parade will be one of the big attractions. They will form the last division, and will march as they do on the prairie—long, square, peaceable, and spaced scattered along. It will be a sight that will probably never be witnessed in this section again, and to hundreds of Helena people, and their guests will be a novel event.

Big drive in 25 shirt waists for boys at The Bee Hive.

Week End Excursions. Commencing Saturday, May 12, 1894, the Montana Central railway will resume the sale of excursion tickets from Helena to Alhambra, Wickes, Boulder and Basin and return at one fare for the round trip. Tickets on sale Saturdays and Sundays, good to return up to and including the following Monday.

C. W. Fitts, City Ticket Agent. Wm. Harder, General Agent.

New line of cheap silk and linen handkerchiefs at Butler & Bradley's.

Stage for Marysville. Will leave the Grand Central hotel, Helena, at three p. m. daily; leave Marysville at 7:30 a. m. daily.

W. JONES, Prop.

HELENA IN BRIEF.

Capital City Music Co., 822 Ninth ave.

Jackson Music Co., Montana Club building. Pianos, organs, musical merchandise.

COLLAR TOO HIGH? You have never worn one of our

Made to Order Shirts

Have you? They will please you we know, and you will save the trouble of waiting for them to come by express from the east, when in a hurry.

THE PRICE IS THE SAME.

As you have been paying east or west. We make you one as a trial, and if it does not suit you do not have to have any more. Just now we are busy making Percelle and Madras shirts for summer wear. We'll stop and make you

One or One Dozen

Of this or any other kind you want. Shirt Waists are very popular among the ladies this summer. We make them to measure from Percelle, Cheviots, Madras or Zephyr, taking the measure and guaranteeing the fit.

Reed & Craig Co

The Only Shirt Makers in the State

BAILEY BLOCK.

HOT HUSTLING HUMANITY

Are Cooled and Invigorated by

HENRY'S

ROOT BEER

EXTRACT.

One bottle (cont. of 15 cents) makes Five Gallons of Delicious, Healthy

TEMPERANCE

BEVERAGE.

No boiling, straining or trouble. Compounded from fresh fruit and roots. Absolutely pure. Superior to all others in flavor.

Sold by All Druggists and Grocers

PARCHEN-DACHEUL DRUG CO.

SAFE

SHELVING and COUNTERS FOR SALE CHEAP.

C. T. MORRELL'S REPAIR SHOP.

403 N. Main Street, Opposite Hay Market.

TO FURNITURE MEN.

A Grand Opportunity.

A good, paying Furniture, Undertaking and Notion business in the most promising mining camp in Montana for sale. Change of climate necessary on account of health. Address B. B. COOK, Neihart, Montana.

## FREEZERS.

JUST A FEW LEFT.

A 10-QUART FREEZER FOR \$4.50.

THAT'S A SAMPLE OF THE PRICES AT THE

Holter Hardware Co's.

CRACK  
CRACK  
CRACK

FIREWORKS.

Cheaper than Ever Before in This or Any Other City at

QUONG HING &amp; CO'S

OPPOSITE CITY HALL

FIZZ---  
BANG

FIREWORKS

Must Be Closed Out.

Price No Object.

QUANG, YUEN &amp; CO., BROADWAY, DENVER BLOCK.

STEELE, HINDSON &amp; CO.,

JOBBERS OF

Hay, Grain, Flour, Feed, Rolled Oats, Corn Meal, Potatoes,

A Full Line of Schumacher's Akron Goods Constantly on Hand.

CROWN, MONTANA BELLE and ROYAL BANNER FLOUR

Telephone No. 108.—The Best Storage Facilities in the City.—1322 Hazman St.

The Pioneer Fruit House of Montana.

ESTABLISHED 1893.

LINDSAY &amp; CO

WHOLESALE

Fruits and Produce.

Office and Warehouse on M. C. Track, Near Passenger Depot.

Our Seed Department is the most complete in Montana. We have an immense variety of garden seeds at bottom prices. Alfalfa, Timothy and Red Clover Seed at lowest market prices.

Jobbers of Eggs, Butter, Apples, Oranges, Lemons, Cranberries, Bananas, Figs and Dates, Foreign and Domestic Nuts, Candies and Chewing Gums.

THE GLORIOUS

FOURTH.

Helena Will Have

A

BIG DAY

THIS IS THE

PROGRAM.....

SUNRISE:

National Salute

9 A. M.

Open Air Concert at Court House Square.

10 A. M.

Grand Street Parade.

12 NOON.

Exercises at Auditorium. Hon. J. A. Largent, of Great Falls, Orator of the day.

1 P. M.

Football Game at Park.

2:30 P. M.

Athletic Sports at Park.

3 P. M.

Races at Fair Grounds

5 P. M.

Sham Battle at Fair Grounds by 100 Mounted Cree Indians in War Costume.

Barbecue at Fair Grounds During the afternoon.

8:30 P. M.

Grand Exhibition of Fire Works on Mount Helena.

10:00 P. M.

Ball at Auditorium.

NO ADMISSION CHARGED ANYWHERE.

Hurrah for July 4th!

U. S. FLAGS.

Over 100 in stock. All sizes.

Thomas F. Oakes, Henry C. Faym, Henry C. House, Receivers.

NORTHERN PACIFIC R.R.

Runs Through Cars

BETWEEN

ST. PAUL,

MINNEAPOLIS,

DULUTH,

FARGO,

GRAND FORKS

and WINNIPEG

—AND—

HELENA,

BUTTE,

SPOKANE

TACOMA,

SEATTLE,

PORTLAND.

Pullman Sleeping Cars, Elegant Dining Cars, Tourist Sleeping Cars

TIME SCHEDULE. IN EFFECT SUNDAY, NOV. 19, 1893.

TRAINS ARRIVE AT HELENA.

No. 1, Pacific Mail